



**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION**

In re

**BEVERLY MONIQUE MURRAY-
CALCOTE**

Debtor.

LARNITA PETTE

Plaintiff(s),

vs.

**BEVERLY MONIQUE MURRAY-
CALCOTE**

Defendant(s).

Case No. 2:17-bk-11972-RK

Chapter 7

Adv. No. 2:17-ap-01488-RK

**ORDER SETTING INITIAL STATUS
CONFERENCE IN ADVERSARY
PROCEEDING**

**TO THE PARTIES TO THE ABOVE-ENTITLED ADVERSARY PROCEEDING,
WHETHER REPRESENTED BY COUNSEL OR SELF-REPRESENTED:**

This adversary proceeding is assigned to Judge Robert Kwan, United States
Bankruptcy Judge. This matter having been assigned to Judge Kwan,

IT IS HEREBY ORDERED as follows:

1. A status conference in the adversary proceeding is hereby scheduled before
Judge Kwan for Tuesday December 5, 2017 at 1:30 p.m., in Courtroom 1675,
Roybal Federal Building, 255 East Temple Street, Los Angeles, California. All

1 parties to the adversary proceeding are ordered to appear at the status conference
2 either by counsel, or for themselves if they are self-represented. This order to
3 appear applies to all plaintiffs, all parties who have filed counterclaims and cross-
4 claims, all defendants served with a complaint, counterclaim or cross-claim, and all
5 parties to a removed action (the "Parties").¹

6 **2. As a party to this adversary proceeding, your appearance at the status**
7 **conference is required by this order and Local Bankruptcy Rule 7016-1. The**
8 **failure of a Party to appear at a status conference or a pre-trial conference**
9 **without excuse may be considered an abandonment or failure to prosecute**
10 **or defend diligently, and the court may impose sanctions against the**
11 **culpable Party, including monetary sanctions or terminating sanctions, such**
12 **as dismissal of the adversary proceeding or entry of default judgment may**
13 **be entered against the defaulting Party. Rules 7016-1 and 9011-3 of the**
14 **Local Bankruptcy Rules.**

15 3. The court expects that all parties have read and are familiar with the applicable
16 court rules, including the Local Bankruptcy Rules of this court, which may be
17 viewed online on the court's website at <http://www.cacb.uscourts.gov/local-rules>.

18 4. As required by the applicable rules of court, including Rule 7004 of the Federal
19 Rules of Bankruptcy Procedure, Plaintiff, or Counterclaimant, or Cross-Claimant,
20 or Removing Party must promptly serve copies of the following documents on all
21 other parties:

22 a. This order;

23 b. Summons and complaint, or counterclaim, or cross-claim, or notice of
24 removal of action, as applicable;

25
26 ¹ All parties are required to be in the courtroom promptly at the time of hearing. This means parties should
27 set aside at least 15 minutes to account for possible problems with traffic, parking, getting through the
28 courthouse security checkpoint and taking the building elevator, etc. The address and parking information
for the court can be found on the court's website at <http://www.cacb.uscourts.gov/court-locations/los-angeles>

- 1 c. Notice of required compliance with Local Bankruptcy Rule 7026-1.
2 Summonses to be served with pleadings must be served within 7 days of issuance
3 by the Clerk of Court as required by Rule 7004(e) of the Federal Rules of
4 Bankruptcy Procedure.
- 5 5. Plaintiff, or Counterclaimant, or Cross-Claimant, or Removing Party must promptly
6 file a proof of service indicating that all documents in paragraph 4 of this order
7 were served on all other Parties. Failure to serve copies of these documents in a
8 timely manner and/or failure to file a proof of service of these documents in a
9 timely manner may result in the court imposing sanctions against the culpable
10 Party for failure to prosecute.
- 11 6. Pursuant to Local Bankruptcy Rule 7016-1(a)(2), all Parties must file and serve a
12 Joint Status Report at least fourteen days before the status conference (see
13 paragraph 1 of this order). For the Joint Status Report, the Parties must use the
14 Local Form 7016-1.STATUS.REPORT, which can be found on the court's website
15 at http://www.cacb.uscourts.gov/forms/local_bankruptcy_rules_forms or at the
16 court's intake office on the 9th Floor of the Roybal Federal Building, 255 East
17 Temple Street, Los Angeles, California.
- 18 7. If any Party fails to cooperate in the preparation of a Joint Status Report, the other
19 Party or Parties must file and serve a Unilateral Status Report at least ten days
20 before the date scheduled for the status conference hearing. Any Unilateral
21 Status Report must include a declaration under penalty of perjury made by the
22 Party filing the Unilateral Status Report, or the Party's attorney, explaining the
23 attempts made to obtain the cooperation of the Party that failed to cooperate in
24 preparing a Joint Status Report.
- 25 8. **As a party to this adversary proceeding, you are required to prepare and file**
26 **a Joint Status Report or a Unilateral Status Report by this order and Local**
27 **Bankruptcy Rule 7016-1. The failure of a Party to cooperate in the**
28 **preparation and filing of a Joint Status Report or a Unilateral Status Report**

1 without excuse may also be considered an abandonment or failure to
2 prosecute or defend diligently, and the court may impose sanctions against
3 the culpable Party, including monetary sanctions or terminating sanctions,
4 such as dismissal of the adversary proceeding or entry of default judgment
5 may be entered against the defaulting Party. Rules 7016-1 and 9011-3 of the
6 Local Bankruptcy Rules.

- 7 9. At the status conference, the court expects that the parties will be prepared to
8 discuss the status of service of the pleadings (including the complaint,
9 counterclaims and cross-claims and pleadings in removed actions), the status of
10 responsive pleadings (including answers and motions to attack the pleadings,
11 such as motions to dismiss, to strike or for more definite statement, to remand or
12 transfer venue), the status of served but non-appearing parties (including whether
13 requests for entry of default or motions for default judgment are pending), and the
14 matters set forth in Local Bankruptcy Rule 7016-1 (including proposed schedules
15 for discovery completion, law and motion matters, pretrial conference and trial,
16 whether the parties have conducted an early meeting under Local Bankruptcy
17 Rule 7026-1, whether the parties are interested in and have discussed settlement,
18 and mediation or alternative dispute resolution), and any other issues affecting the
19 status or management of the adversary proceeding.

20 IT IS SO ORDERED.

21 ###

22
23
24
25
26
27 OCT 02 2017



28 U.S. Bankruptcy Judge